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MEMORANDUM FOR: Deputy Director (Support)

SUBJECT: DD/P Comments on Proposed Regulation
Compliance with Security Regulations

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1. The subject regulation was originally drafted by this Office about two years ago. Since then, the regulation has been in almost a constant state of coordination, recoordination and rewriting. Over a year ago, a previous version of this regulation was coordinated with Agency Offices, Divisions and Staffs, including the Offices of the DD/S, DD/I and DD/P. The comments received as a result of this coordination were incorporated into a revision of the regulation when such comments were considered appropriate by the Office of Security. It is my understanding that Colonel Edwards some few months ago talked with you, personally, about this regulation and gave his opinion that because of the punitive nature of the regulation, it would be practically impossible to gain Agency-wide concurrence. It is my further understanding that it was the recommendation of Colonel Edwards that the regulation be authenticated by yourself provided the concurrence of the Director of Security, the Director of Personnel and the General Counsel could be obtained. You will note from enclosure 1 that these three officials have concurred in the proposed regulation.

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3. In addition, the DD/P recommends that security surveys and subsequent security audits be conducted only with the concurrence or at the request of the Deputy Director concerned. As a matter of command courtesy, this Office has always adhered to the practice of informing the appropriate command official when a security survey was to be made of procedures under his jurisdiction. In such security surveys it has not been contemplated that they would include operational security matters. This is borne out by paragraph 8a of the regulation which states that the Director of Security in conducting security surveys shall except those

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4. The most significant and important recommendation of the DD/P is that the penalties listed in the regulation be left discretionary with the Office concerned regarding their application. The heart of this regulation is that these penalties should be applied Agency-wide in a uniform manner. To allow each Office to judge as to the applicability of the penalties would result in some Offices being strict, others being lenient. This discrepancy in applying the regulation would of necessity raise a serious morale problem with the Agency. It has been recognized, however, that in some instances it might be advisable to refer the application of a penalty to a higher authority for decision and also, that in fairness to an individual, that he should have the right of appeal where warranted in the opinion of his Office Chief. This appeal procedure is written into the regulation as paragraph 9. Rather than utilize the Employment Review Board for purposes of recommendation on appeal cases, it was left discretionary with the DD/S, the DDCI or the DCI as to the composition of any Board each official might choose to create for the purpose of conducting a fair and impartial hearing.

5. In the opinion of this Office, the regulation as presently written is impartial and does justice to both the individual and the Agency, and it is recommended that it be authenticated.

[]
Acting Director of Security

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Encls.

1. Copy of Subject Regulation
 2. Copy of DD/P Comments
- dtd 7 Sept 55

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